

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
CIVIL MINUTES—
GENERAL

Case No. SACV 23-00713-JWH(ADSx)

Date June 14, 2023

Title *Truman Fishchesser v. AR Resources Inc*

Present: The Honorable JOHN W. HOLCOMB, UNITED STATES DISTRICT JUDGE

Clarissa Lara

Deputy Clerk

Not Reported

Court Reporter

Attorney(s) Present for Plaintiff(s):

None Present

Attorney(s) Present for Defendant(s):

None Present

**Proceedings: (IN CHAMBERS) Order to Show Cause re Dismissal for
Lack of Prosecution**

Generally, each Defendant must answer or otherwise respond to the complaint within 21 days after service (60 days if the Defendant is the United States). Fed. R. Civ. Proc. 12(a)(1).

In the present case, it appears that Plaintiff served the summons and complaint on one or more Defendants, but such Defendant(s) did not file an answer or otherwise respond to the complaint. Consequently, on June 2, 2023, Plaintiff requested the entry of default with respect to the applicable Defendant(s) [ECF No. 12], and the Clerk entered default on June 6, 2023. Fed. R. Civ. Proc. 55(a).

The defaulted Defendant(s) have not moved to set aside the default nor otherwise responded in this action. However, Plaintiff has not moved for the entry of default judgment. Accordingly, the Court, on its own motion, hereby orders Plaintiff to show cause in writing on or before **June 23, 2023**, why this action should not be dismissed, with respect to each defaulted Defendant. Pursuant to Rule 78 of the Federal Rules of Civil Procedure, the Court finds that this matter is appropriate for submission without oral argument. This Order to Show Cause will

be discharged if Plaintiff files, before the deadline set forth above, a motion for the entry of default judgment with respect to the applicable Defendant(s).
Fed. R. Civ. Proc. 55(b).

IT IS SO ORDERED.